

UNITED STATES OF AMERICA,)
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)
)
Vs.) ORDER
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)
KEVIN WAYNE VANOVER and)
MEREDITH ANN YATES,)
)
Defendants.)

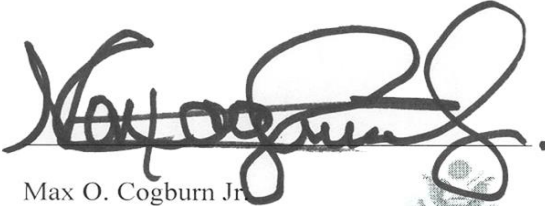
ORDER

IT IS, THEREFORE, ORDERED that Defendants' Motions to Continue (##43, 44) are **GRANTED**, this matter is continued to the next criminal term, and the court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(B)(iv), as failure to grant such a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Further, the ends of justice served by granting such continuance outweigh the best interests of the public and the defendant in a speedy trial. Specifically, defendants and counsel have shown a need for additional time to prepare for trial or other resolution of this matter, including potentially altering trial strategy based on the

superseding indictment filed three days before trial was scheduled to commence, as well as exploring the possibility of filing additional motions related to the superseding indictment. Accordingly, this matter is continued to the June 2016 Asheville mixed term, and the time is excluded. Though this matter will be placed on the June calendar, the court notes that all counsel stated in open court on April 7, 2016 that they would endeavor to be prepared for trial in early May 2016. The court will place this matter on the calendar for trial once it has determined whether a date in May will work with the court's schedule.

IT IS FURTHER ORDERED that, for the reasons stated in open court on April 7, 2016, and based on the colloquy between Defendant Vanover, his counsel, and the court in open court on the same day, the Government's Motion to Sever (#30) is **DENIED** and this matter will proceed as a joint trial.

Signed: April 7, 2016



Max O. Cogburn Jr.
United States District Judge